

REMARKS

Initially, Applicant expresses appreciation to the Examiner for the detailed Official Action provided.

Upon entry of the present paper, claims 1, 5-6, 11, 14-15, 18-19, 22, and 26 will have been amended. The herein-contained amendments should not be considered an indication of Applicant's acquiescence as to the propriety of the outstanding rejection. Rather, Applicant has amended the claims in order to advance prosecution and obtain early allowance of the claims in the present application. Furthermore, no prohibited new matter has been introduced by the abovementioned amendments. Specifically, the amendments to claims 1, 18-19, 22, and 26 are supported at least by page 17, lines 3-5 of the present application as filed (§[0063] of corresponding U.S. Pat. Appl. Pub. No. 2004/0176164).

Thus, upon entry of the present paper, claims 1-26 are pending in the present application, with claims 1, 18, 22, and 26 being in independent form. Applicant addresses the rejections provided within the Official Action below and respectfully requests reconsideration and withdrawal of the outstanding rejections pending in the present application together with an indication of the allowability of claims 1-26 (*i.e.*, all pending claims) in the next Official communication. Such action is respectfully requested and is now believed to be appropriate for at least the reasons provided below.

35 U.S.C. § 101 Claim Rejections

In the outstanding Official Action, claim 22 was rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Specifically, the Examiner asserted that the claims are directed to an abstract idea and that no physical transformation is present.

By the present paper, without acquiescing in the propriety of the outstanding rejection, Applicant has amended claim 22 to recite that the method is computer-implemented and that each of the method limitations is performed by a computer. Accordingly, Applicant submits that the claims are tied to a statutory category of invention.

Thus, in view of the above, Applicant respectfully submits that the grounds for the rejection no longer exist and requests the Examiner to withdraw the rejection under 35 U.S.C. § 101 in the next official communication.

35 U.S.C. § 103 Claim Rejections

In the outstanding Official Action, claims 1-26 (*i.e.*, all pending claims) were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. Appl. Pub. No. 2001/0024972 to Kitao (hereinafter “KITAO”).

Initially, Applicant notes that, without acquiescing in the propriety of the rejection and solely to expedite prosecution of the application to allowance, Applicant has amended each of independent claims 1, 18, 22, and 26 (*i.e.*, all independent claims) to enhance the clarity of the features recited therein. According to the present application, in a video game including multiple characters, a central position of multiple characters is determined. Multiple temporary points are set around the central position, wherein a direction to each of the temporary points from the central position is predetermined based

on the polar coordinates of the central position. A distance is calculated between each of the temporary points and the central position. The calculated distance between each temporary point and the central position is evaluated, and, thereafter, a viewpoint position of a virtual camera is moved to one of the temporary points based on the evaluations. With respect to the above, Applicant submits that KITAO fails to disclose or render obvious at least the features of the present application, as recited by independent claims 1, 18, 22, and 26, of setting multiple temporary points and of:

wherein the temporary points are set around the central position and a direction to each of the temporary points from the central position is predetermined based on the polar coordinates of the central position.

In other words, according to the present application and as shown at least by Figures 7A to 7C, multiple temporary points are set in the three-dimensional space around the central position based on the polar coordinates of the central position.

Contrary to the present application, KITAO discloses a game system in which a first viewpoint position P1 is a default viewpoint position for a player character (KITAO, Figure 6). The first viewpoint position P1 is set on a backside of an own character 31 and slightly inclined toward the moving direction of the own character 31 (KITAO, ¶[0055]). According to KITAO, when the player character moves within a predetermined distance D of an opponent character 32, the viewpoint position of the player character is switched to a second viewpoint position P2 (KITAO, ¶[0058]). The second viewpoint position P2 is set at a position that faces an observation point p that is the middle point between the own character 31 and the opponent character 32 (KITAO, ¶[0063]). KITAO discloses that the second viewpoint position P2 is determined to be located at a position on the side of the own character 31 and the opponent character 32 and at a distance from p such that

the own character 31 and the opponent character 32 are each seen facing one another (KITAO, ¶[0062], Figure 5).

In the outstanding Official Action, the Examiner asserts that KITAO inherently discloses that multiple “temporary” viewpoint positions are selected for determining the actual second viewpoint position P2. Applicant respectfully disagrees. To the contrary, KITAO discloses determining the observation point p and a distance d between the own character 31 and the opponent character 32 (KITAO, ¶[0068]). Thereafter, the second viewpoint position P2 is set at a distance from observation point that is based on the distance d between the own character 31 and the opponent character 32 (KITAO, ¶[0068]). In this regard, Applicant submits that it would be unnecessary and illogical for KITAO to set “temporary” points since the position of the second viewpoint position P2 is set based on all known variables (*i.e.*, the allegedly inherent “temporary” points would serve no function). In contradistinction, the present application discloses that multiple temporary viewpoint positions are set, and, thereafter, a distance between each temporary position and the central position is calculated for determining the position to which the virtual camera is to be moved. Accordingly, Applicant respectfully submits that KITAO cannot be reasonably interpreted to disclose or render obvious the feature of setting multiple temporary points as recited in the claimed combinations of independent claims 1, 18, 22, and 26, and thus, fails to disclose or render obvious such claims.

In addition to, and independently of, the above, assuming, *arguendo*, that KITAO inherently discloses that multiple “temporary” viewpoint positions are set, Applicant respectfully submits that KITAO fails to disclose or render obvious that such multiple “temporary” viewpoint positions are set around the observation point p. Rather, KITAO

explicitly discloses that the second viewpoint position P2 (which the Examiner asserts to inherently include the multiple “temporary” viewpoint positions) “faces the observation point” and “is set at comparatively near position aside of the own character 31 and the opponent character 32” (KITAO, ¶[0062]). In other words, as shown at least in Figures 5 and 7 of KITAO, the multiple “temporary” viewpoint positions are “inherently” set in a direction from the observation point p such that the multiple “temporary” viewpoint positions are positioned to a side of the own character 31 and the opponent character 32. In contradistinction, as shown in Figures 7A to 7B of the present application, independent claims 1, 18, 22, and 26 recite that the temporary points 502a, 502b, 502c are set around the central position. According to a non-limiting and advantageous effect to such a feature, according to the present application, the viewpoint position of the virtual camera may be moved to any position in the three-dimensional space about the central position. KITAO, on the other hand, requires that the second viewpoint position P2 is positioned to a side of the own character 31 and the opponent character 32. Thus, at least for this additional reason, Applicant submits that KITAO fails to disclose or render obvious independent claims 1, 18, 22, and 26.

Additionally to, and independently of, the above, again assuming, *arguendo*, that KITAO inherently discloses that multiple “temporary” viewpoint positions are set, independent claims 1, 18, 22, and 26 recite that a direction to each of the temporary points from the central position is predetermined based on polar coordinates of the central position. Applicant submits that KITAO fails to disclose or render obvious such a feature. Rather, as noted above, KITAO discloses determining the observation point p and a distance d between the own character 31 and the opponent character 32 (KITAO,

¶[0068]). Thereafter, the second viewpoint position P2 is set at a distance from observation point that is based on the distance d between the own character 31 and the opponent character 32 (KITAO, ¶[0068]). Accordingly, KITAO merely sets the second viewpoint position P2 at a determined distance from the observation point. KITAO, however, does not appear to disclose that the second viewpoint position P2 (or the allegedly inherent multiple “temporary” viewpoint positions) are set based on the polar coordinates of the observation point p. Thus, at least for this additional reason, Applicant submits that KITAO fails to disclose or render obvious independent claims 1, 18, 22, and 26.

With respect to the Examiner's rejection of dependent claims 2-17, 19-21, and 23-25, Applicant submits that these claims are all directly or indirectly dependent from one of allowable independent claims 1, 18, and 22, which are allowable for at least the reasons discussed *supra*. Thus, these dependent claims are submitted to also be allowable for at least the reasons discussed *supra*. Furthermore, all dependent claims recite additional features which further define the present invention over the references of record.

Accordingly, at least for the reasons set forth above, Applicant respectfully submits that each and every pending claim of the present application (*i.e.*, claims 1-26) meets the requirements for patentability. Therefore, the Examiner is respectfully requested to withdraw the outstanding rejections and to indicate the allowance of each and every pending claim in the present application.

CONCLUSION

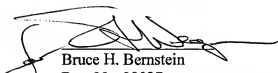
In view of the fact that none of the art of record, whether considered alone, or in any proper combination thereof, discloses or renders obvious the present invention as now defined by the pending claims, and in further view of the above amendments and remarks, reconsideration of the Examiner's action and allowance of the present application are respectfully requested and are believed to be appropriate.

Applicant notes that the amendments to the claims are to be considered merely clarifying amendments that are cosmetic in nature, and are not intended to narrow the scope of the claims. Accordingly, this amendment should not be considered a decision by Applicant to narrow the claims in any way.

Should the Commissioner determine that an extension of time is required in order to render this response timely and/or complete, a formal request for an extension of time, under 37 C.F.R. §1.136(a), is herewith made in an amount equal to the time period required to render this response timely and/or complete. The Commissioner is authorized to charge any required extension of time fee under 37 C.F.R. §1.17 to Deposit Account No. 19-0089.

If there should be any questions concerning this application, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,
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